

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

FA ND CHEV, LLC and FA ND SUB,
LLC,

Plaintiffs,

v.

Robert Kupper; Bismarck Motor Company;
and BMC Marine LLC d/b/a Moritz Sport
& Marine,

Defendants.

ORDER

Case No. 1:20-cv-138

BAPTKO, Inc.,

Plaintiff and Counterclaim
Defendant,

v.

Foundation Automotive Corp., an Alberta
Corporation, FA ND CHEV, LLC, and
FA ND SUB, LLC,

Defendants and Counterclaimants.

The court has scheduled an omnibus hearing for December 6, 2023, in Bismarck courtroom #2. On November 29, 2023, Defendant BMC Marine LLC d/b/a Moritz Sport & Marine (“Moritz Sport”) filed a motion requesting leave to attend the omnibus hearing by telephone or video conference. (Doc. No. 307). It stresses that its attorney is located in Fargo, that none of the pending motions request relief or sanctions from it, and that it does not intend to take a position or file any briefing in relation to any of the pending motions that are the subject of the hearing.

The court **GRANTS** Moritz Sport's motion. (Doc. No. 307). Counsel for Moritz Sport's may appear at the omnibus hearing via video. Instructions on how to appear via video will be sent to counsel in a separate email.

IT IS SO ORDERED.

Dated this 1st day of December, 2023.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court